

PTO/SB/26 (10-00)

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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**Terminal Disclaimer (Optional)  
12.3US**TERMINAL DISCLAIMER NOT APPROVED**

AUG 20 2002

TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTERIn re Application of: Brick G. PowerApplication No.: 10/013,840

Filed: February 13, 2002

For: STEREO LITHOGRAPHIC METHODS FOR FABRICATING HERMETIC SEMICONDUCTOR DEVICE PACKAGES AND SEMICONDUCTOR DEVICES INCLUDING STEREO LITHOGRAPHICALLY FABRICATED HERMETIC PACKAGES

The owner, Brick G. Power, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,432,752. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making this disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is found unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminated under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below if appropriate

1. ☐ For submission on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that the statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that the statements were made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

Brick G. Power

Signature

8/19/02

Date

Brick G. Power

Typed or printed name

Reg. No. 38,581

- ☒ The Commissioner is authorized to charge the terminal disclaimer fee under 37 CFR 1.20(d) to Deposit Account 20-1468

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\*Certification under 37 CFR 1.20(b) for terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/26 (10-00) for making this certification. See 37 CFR § 324.

Burden Hour Statement: This form is estimated to take 10 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20503. For more information, see the PTO website at [www.uspto.gov](http://www.uspto.gov). **TERMINAL DISCLAIMER NOT APPROVED**

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Intellectual Property Attorneys

**FACSIMILE TRANSMITTAL SHEET**Total number of pages including cover letter: 2To: **Examiner D. Zarneke**Date: **August 19, 2002**Facsimile No.: **(703) 746-3876**

Telephone No.:

From: **Brick G. Power**Your Reference: **10/074,840**Client/matter number: **2269-4212.3US**Message/Comments: **Enclosed please find a Terminal Disclaimer for the above referenced patent application.**

Faxed by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

*If you do not receive the complete document, please call (801) 552-1922 as soon as possible*

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DATE: 30 Aug 2002  
 TO: EXAMINER ZARNEKE  
 FROM: Deborah Perry Vega  
 PARALEGAL SPECIALIST

APPL. S.N.: 10/074,840

ART UNIT: 2827

#1

SUBJECT: Decision on Terminal Disclaimer (T.D.) filed: 19 Aug 2002

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete, please initial, date and return this memo to me. THANK YOU.

☐ The T.D. is PROPER and has been recorded (see ¶ 14.23).

☒ The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see ¶ 14.24):

☒ The TD fee of 110.00 has not been submitted nor is there any authorization in the application file for the use of a deposit account (see ¶ 14.26.07). Acc # 20-1468

☐ The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see ¶ ¶ 14.26 & 14.26.01).

☐ The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see ¶ 14.27.01).

☐ The T.D. is directed to a particular claim(s), which is not acceptable since “the disclaimer must be for a terminal portion of the term of the entire patent to be granted” (MPEP 1490) (see ¶ ¶ 14.26 & 14.26.02).

☐ The person who signed the T.D.:

☐ is not an attorney “of record” (see ¶ ¶ 14.29 and 14.29.01).

☐ has failed to state his/her capacity to sign for the business entity (see ¶ 14.28).

☐ is not recognized as an officer of the assignee (see ¶ ¶ 14.29 & possible 14.29.02).

☐ No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see ¶ 14.30).

☐ The T.D. is not signed (see ¶ ¶ 14.26 & 14.26.03).

☒ The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ 14.32).

☐ The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶ ¶ 14.26, 14.27.02 or 14.26.05).

☐ The period disclaimed is incorrect or not specified (see ¶ ¶ 14.26, 14.27.02 or 14.26.03).

☒ Other:

FYI- Applicant was identified incorrectly as FARWORTH RATHER THAN FARNWORTH

☐ Suggestion to request refund (see ¶ 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Ex. Initials: \_\_\_\_\_ Date: \_\_\_\_\_

Log Date: \_\_\_\_\_

PLEASE Charge Authorized